United Nations A/HRC/38/NGO/132

General Assembly

Distr.: General
13 June 2018

English only

Human Rights Council
Thirty-eighth session
18 June-6 July 2018
Agenda item 10
Technical assistance and capacity-building

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Indian Movement "Tupaj Amaru", International-Lawyers.Org, IUS PRIMI VIRI International Association, non-governmental organizations in special consultative status, International Educational Development, Inc., World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-09689(E)

1809689

Please recycle

Children in Yemen: The Future of a Whole Generation is under Threat*

The Yemeni population has been living in an ongoing civil war for more than four years now and it is facing what has been described as the "worst man-made humanitarian crisis of our times"1. In 2017, more than 11 million were in severe need of humanitarian aid or protection, and more than three million had to leave their homes2. In addition, a significant part of the population is food insecure, suffering from a lack of access to proper healthcare, and a lack of access to safe water3. The urgent need to take further measures and the necessity to have financial resources in order to alleviate the Yemeni suffering have been highlighted during the 2018 Yemen High-Level Pledging Event.

On 24 May 2018, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, released a statement in which he stated that during the previous weeks, the country has witnessed an intensification of the conflict and, furthermore, the humanitarian action has been further limited. These elements are increasingly exacerbating the already dire humanitarian crisis, in which 8.4 million Yemenis are facing severe food insecurity.4 In this regard, on the same day, the Security Council unanimously adopted resolution 2417 (2018), in which the link between armed conflict and food insecurity is underlined.5 Furthermore, the resolution stressed that "(...) using starvation of civilians as a method of warfare may constitute a war crime", and through article 4 it highlights the significance of safe and unrestricted access to civilians in armed conflict situations.6

Children in the Conflict

In the midst of this grave humanitarian crisis, children are one category of the population that is most vulnerable and affected by the ongoing civil war. Despite the fact that Yemen has ratified seven of the nine human rights treaties, including the Convention on the Rights of the Child and two of its three protocols; today Yemeni children are facing several violations of their most basic human rights and are victims of different forms of violence. Furthermore, they are directly or indirectly, affected by numerous violations of international humanitarian law by all parties to the conflict, such as attacks against civilian infrastructures. According to UNICEF, since the beginning of the war, every day an average of five children have either been killed or wounded7. The report A/72/361 of the Secretary-General highlighted how during the cessation of hostilities that took place from April until the beginning of August 2016, the number of child causalities decreased in comparison with previous periods of the conflict. This underlines the necessity to increase efforts to establish another ceasefire agreement until a political solution is reached in order to protect and save the life of many Yemeni children.

Right to Health

The conflict has caused the destruction of several civilian infrastructures and made it difficult for the population to have access to basic public services. The health system is one of the country's services heavily affected by the war, resulting

---

1 UNOCHA – Largest consolidated humanitarian appeal for Yemen to provide a lifeline to 13.1 million people, https://www.unocha.org/story/largest-consolidated-humanitarian-appeal-yemen-provide-lifeline-131-million-people

2 UNOCHA (2017), *Yemen: 2018 Humanitarian Needs Overview*

3 Ibid 2.

4 UN Office for the Coordination of Humanitarian Affairs – Under-Secretary General For Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock: Statement on the situation in Yemen, https://reliefweb.int/sites/reliefweb.int/files/resources/ERC%20USG%20Mark%20Lowcock%20on%20Yemen%2024May2018.pdf

5 UN News – UN Security Council condemns starvation of civilians as war tactic, https://news.un.org/en/story/2018/05/1010731

6 UN Security Council - Resolution 2417 (2018), https://undocs.org/S/RES/2417(2018)

7 UNICEF – Yemen conflict: A devastating tool for children https://www.unicef.org/infobycountry/yemen_85651.html

in 50 per cent8 of its facilities non-operating. Furthermore, a high number of children do not have access to clean water or adequate sanitation9. These circumstances are negatively affecting the health of a large number of Yemeni boys and girls by making them more exposed to diseases such as cholera10. Children are equally suffering from the food security crisis. In fact, 1.8 million minors under five years old are facing severe malnutrition11. This condition is making them more vulnerable when effected by various diseases, which are becoming widespread. Another element that has further complicated the delivery of urgently needed health care services is the non-payment of a big part of the health care workers' salaries12. The combination of some of these factors may expose Yemeni children to a higher risk of suffering from long term psychological consequences, as well.

Right to Education

Another basic human right is the right to education. In Yemen, two million minors are currently out-of-school. Many educational facilities have been damaged by the conflict. Some schools are used for internally displaced people or for military purposes. In addition, the high number of minors who are not attending school increased because parents are afraid to send their children during the widespread violence characterizing the country. Teachers, like health care professionals, are confronted with the non-payment of their salaries.

It is of crucial importance that children have the possibility to continue their studies. Education is a powerful tool without which they are going to face a higher risk of falling into poverty. The lack of education may also compromise future generations from recovering and rebuilding their country when the conflict is over.

Child Recruitment

Minors have been recruited to fight in the war by different parties to the conflict13. According to UNICEF, at least 2419 children have been recruited since March 201514. Their enrolment by militia groups often takes place directly in their schools and frequently with the use of force15. Nevertheless, at the same time, the large number of children who are currently out-of-school are exposed to a high risk of being recruited as well. Poverty is increasing and sometimes, because of the severity of their precarious situation, families have to send their children to fight in the war or to work.

Child Marriage

Another worrisome phenomenon that is taking place in Yemen is the increased cases of child marriage. This practice was already common before the beginning of the conflict, more or less, 52% of girls were already married before reaching the age of 18 years old16. However, the situation has deteriorated since the war, with almost 75% of girls getting married before the age of 18, and in 44.5 percent of these cases, they got married even before reaching the age of 15 years old17.

---

8 WHO – Diptheria vaccination campaign for 2.7 million children concludes in Yemen http://www.emro.who.int/yem/yemen-news/diphtheria-vaccination-campaign-for-27-million-children-concludes-in-yemen.html

9 UNICEF (2018), *Born into war: 1,000 days of lost childhood*

10 Ibid 2.

11 UNICEF (2018), *If not in school: the paths children cross in Yemen*

12 Médecins Sans Frontières, Saving lives without salaries: Government health staff in Yemen, https://reliefweb.int/report/yemen/saving-lives-without-salaries-government-health-staff-yemen

13 GICJ - *Yemen: Denial of the right to education,* http://www.gicj.org/images/2016/35Session_HRC_Texts/Yemen_Denial-of-the-Right-to-Education.pdf

14 Ibid 11.

15 Ibid 13.

16 UNFPA, Fighting for justice for women amidst conflict in Yemen https://www.unfpa.org/news/fighting-justice-women-amidst-conflict-yemen

17 Ibid 11.

Similarly, as it is often the case in child recruitment, this can be caused by the fact that families are frequently confronted with desperate economic situations and have to marry their daughters in order to be released of their care costs18.

According to article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which Yemen has ratified, child marriage "shall have no legal effect, and all necessary measures, including legislation, shall be taken to specify a minimum age for marriage (...)". However, in the Yemeni legislation there is no clear indication of the legal age for marriage.

Recommendations

- All parties to the conflict should respect human rights and international humanitarian laws. In particular, they should stop targeting civilian infrastructures such as schools and hospitals, and halt all forms of violence and human rights violations against minors.
- The international community and the Yemeni government should take all possible measures to ensure access to humanitarian workers in order to provide humanitarian aid to all Yemenis in urgent need.
- The Yemeni government should ensure that children's basic human rights, such as their right to health and education, are respected. Furthermore, serious efforts should be made by all relevant actors to halt child recruitment.
- The Yemeni government should clearly define in its legislation the minimum age for marriage in compliance with the international treaties it has ratified.
- The international community should enhance its efforts to reach a political solution to this conflict and, in the meantime, take all possible measures and actions to put in place a ceasefire agreement in order to alleviate prolonged civilian suffering and facilitate access of humanitarian aid.

---

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussells Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, The International League of Iraqi Academics (ILIA), NGOs without consultative status, also share the views expressed in this statement.

18 Ibid 9, CNN- *She's only 12, but her father is already planning her wedding*
https://edition.cnn.com/2018/01/22/middleeast/yemen-child-marriage-asequals/index.html